

AN ORDINANCE 2007-04-05-0368

APPROVING A TOTAL PROJECT AMOUNT OF \$7,517,153.17 AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$6,289,381.90 TO TEXAS STERLING CONSTRUCTION, L.P., OF WHICH \$454,207.00 WILL BE REIMBURSED BY CPS ENERGY AND \$680,713.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, IN CONNECTION WITH THE CALLAHAN ROAD: INGRAM TO HEMPHILL PROJECT, AN AUTHORIZED 2005 STORM WATER REVENUE BOND FUNDED PROJECT LOCATED IN DISTRICT 6.

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WHEREAS, the Callaghan Road: Ingram to Hemphill Project provides for the reconstruction of Callaghan Road, from Ingram to Hemphill, eliminates three low water crossings, handles water from a 100-year storm event, adds parallel storm drainage, and upgrades and replaces two traffic signals; and

WHEREAS, the Project was advertised for construction bids in the Commercial Recorder, the San Antonio Informer, and La Prensa in January 2007; and

WHEREAS, bids for the Project were opened on January 31, 2007 and of the four (4) firms responding, Texas Sterling Construction, L.P. submitted the lowest responsive bid; and

WHEREAS this Ordinance accepts the lowest responsive bid submitted by Texas Sterling Construction, L.P. in the amount of \$6,289,381.90 for the Callaghan Road: Ingram to Hemphill Project and authorizes \$515,446.19 for Project Contingency, \$185,000.00 for Capital Administrative Costs, \$51,544.62 for Material Testing, and \$2,000.00 for Advertising Expenses, for a total ordinance amount of \$7,043,372.71; and

WHEREAS, CPS Energy will reimburse the City in the amount of \$454,207.00 in connection with the Project; and

WHEREAS, the San Antonio Water Systems (SAWS) will reimburse the City in the amount of \$680,713.00 in connection with the Project; and

WHEREAS, approval of this Ordinance will be a continuation of City Council policy to complete previously approved 2005 Storm Water Revenue Bond funded Projects; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The lowest responsive bid of Texas Sterling Construction, L.P. in the amount of \$6,289,381.90 in connection with the Callaghan Road; Ingram to Hemphill Project is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever comes first.

SECTION 2. The City Manager or her designee is hereby authorized to execute a standard form contract with Texas Sterling Construction, L.P. in substantial form as is attached hereto and incorporated herein for all purposes as Attachment I.

SECTION 3. The following financial adjustments are approved:

A. The amount of \$2,944,580.00 is appropriated in fund 48004000, 2005 Stormwater Revenue Bonds, WBS RB-00084-01-01-06 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00166-90-03. The amount of \$2,944,580.00 is authorized to be transferred to fund 48099000.

B. The budget in fund 48099000, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), shall be revised by increasing WBS element 23-00166-90-03 entitled Trf Fr RB-00084-01-01-06, GL account 6101100 – Interfund Transfer In, by the amount \$2,944,580.00.

C. Funds are authorized to be received from SAWS, to fund 48099000, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), shall be revised by increasing WBS element 23-00166-90-01, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$340,356.50.

D. Funds are authorized to be received from CPS, to fund 48099000, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), shall be revised by increasing WBS element 23-00166-90-02, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$227,103.50.

E. The amount of \$2,577,230.95 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-02-01, entitled City Construction, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

F. The amount of \$245,701.50 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-02-02-02, entitled SAWS Water, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

G. The amount of \$94,655.00 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-02-02-01, entitled SAWS Sewer, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

H. The amount of \$227,103.50 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-02-03, entitled CPS Gas, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

I. The amount of \$257,723.10 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-06, entitled Project Contingency, G/L Account 5201140, and is authorized to be encumbered and made payable for project contingencies.

J. The amount of \$83,853.64 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-04, entitled Capital Administrative Costs, G/L Account 5402010, and is authorized to be encumbered and made payable for construction capital administrative costs.

K. The amount of \$25,772.31 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00166, Callaghan LWC (Farragut to Ingram), WBS element 23-00166-05-07, entitled Material Testing Costs, G/L Account 5201040, and is authorized to be encumbered and made payable for material testing costs.

L. The amount of \$2,963,872.71 is appropriated in fund 48004000, 2005 Stormwater Revenue Bonds, WBS RB-00084-01-01-07 GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00167-90-03. The amount of \$2,963,872.71 is authorized to be transferred to fund 48099000.

M. The budget in fund 48099000, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, shall be revised by increasing WBS element 23-00167-90-03 entitled Trf Fr RB-00084-01-01-07, GL account 6101100 – Interfund Transfer In, by the amount \$2,963,872.71.

N. Funds are authorized to be received from SAWS, to fund 48099000, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, shall be revised by increasing WBS element 23-00167-90-01, entitled SAWS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$340,356.50.

O. Funds are authorized to be received from CPS, to fund 48099000, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, shall be revised by increasing WBS element 23-00167-90-02, entitled CPS Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$227,103.50.

P. The amount of \$2,577,230.95 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-02-01, entitled City Construction, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

Q. The amount of \$245,701.50 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-02-02-02, entitled SAWS Water, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

R. The amount of \$94,655.00 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-02-02-01, entitled SAWS Sewer, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

S. The amount of \$227,103.50 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-02-03, entitled CPS Gas, G/L Account 5201140, and is authorized to be encumbered and made payable to Texas Sterling Construction, L P., for construction services.

T. The amount of \$257,723.10 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-06, entitled Project Contingency, G/L Account 5201140, and is authorized to be encumbered and made payable for project contingencies.

U. The amount of \$101,146.36 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-04, entitled Capital Administrative Costs, G/L Account 5402010, and is authorized to be encumbered and made payable for construction capital administrative costs.

V. The amount of \$25,772.31 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-07, entitled Material Testing Costs, G/L Account 5201040, and is authorized to be encumbered and made payable for material testing costs.

W. The amount of \$2,000.00 is appropriated in Fund 48099000, Municipal Drainage Capital Projects, Project Definition 23-00167, Callaghan: Hemphill To Farragut 1 LWC, WBS element 23-00167-05-01, entitled Advertising, G/L Account 5201040, and is authorized to be encumbered and made payable for advertising costs.

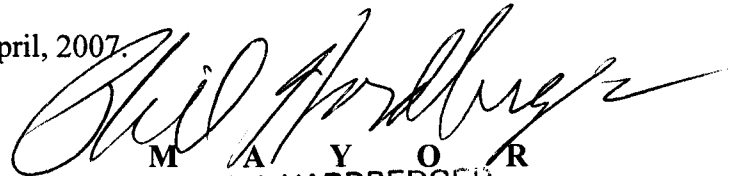
X. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall be effective on April 15, 2007.

PASSED AND APPROVED this the 5th day of April, 2007.

ATTEST:


CITY CLERK


MAYOR
PHIL HARDBERGER

APPROVED AS TO FORM:


City Attorney